

§ 500.3

10 CFR Ch. II (1-1-05 Edition)

preceding calendar year, are equal to or greater than fifty (50) percent of the capital costs of an equivalent replacement unit of the same capacity, capable of burning the same fuels.

(2) Notwithstanding paragraph (1) of this definition, reconstruction shall not be found to have taken place whenever:

(i) The capital expenditures for refurbishment or modification of an electric powerplant, on a cumulative basis for the current calendar year and preceding calendar year, are not greater than eighty (80) percent of the capital costs of an equivalent replacement unit of the same capacity, capable of burning the same fuels and the unit, as refurbished or modified, will not have a greater fuel consumption capability than the unit it replaces;

(ii) The unit being refurbished or modified was destroyed, in whole or substantial part, in a plant accident and the unit, as refurbished or modified, will not have a greater fuel consumption capability than the unit it replaces; or

(iii) Refurbishment or modification of the unit is undertaken primarily for the purpose of increasing fuel burning efficiency of the unit, and will not result in:

(A) Increased remaining useful plant life, or

(B) Increased total annual fuel consumption.

Resource Conservation and Recovery Act of 1976 means the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 *et seq.*

SIP means State Implementation Plan pursuant to section 10 of the Clean Air Act.

Site limitation means a specific physical limitation associated with a particular site that relates to the use of an alternate fuel as a primary energy source for the powerplant such as:

(1) Inaccessibility to alternate fuels;

(2) Lack of transportation facilities for alternate fuels;

(3) Lack of adequate land for facilities for the handling, use and storage of alternate fuels;

(4) Lack of adequate land or facilities for the control or disposal of wastes from such powerplant, including lack of land for pollution control equipment

or devices necessary to assure compliance with applicable environmental requirements; and

(5) Lack of an adequate and reliable supply of water, including water for use in compliance with applicable environmental requirements.

Solid Waste Disposal Act means the Solid Waste Disposal Act, 42 U.S.C. 6901 *et seq.*, as amended.

State regulatory authority means any State agency that acts as ratemaking or power supply authority with respect to the sale of electricity by any State regulated electric utility.

Synthetic fuel means any fuel derived from an alternate fuel and does not include any fuels derived from petroleum or natural gas.

Wetlands areas means, for purposes of section 103(a)(12) of the Act, those geographical areas designated as wetlands areas by State or local environmental regulatory authorities, or in the absence of any such geographic designation, those areas that are inundated by surface or ground water with frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetation or aquatic life that requires saturated, seasonably saturated, or tidally saturated soil conditions for growth or reproduction.

(Department of Energy Organization Act, Pub. L. 95-91, 42 U.S.C. 7101 *et seq.*; Energy Supply and Environmental Coordination Act of 1974, Pub. L. 93-319, as amended by Pub. L. 94-163, Pub. L. 95-70, and Pub. L. 95-620, (15 U.S.C. 719 *et seq.*); Powerplant and Industrial Fuel Use Act of 1978, Pub. L. 95-620, as amended by Pub. L. 97-35 (42 U.S.C. 8301 *et seq.*); Omnibus Budget Reconciliation Act of 1981, Pub. L. 97-35)

[46 FR 59884, Dec. 7, 1981, as amended at 47 FR 15313, 15314, Apr. 9, 1982; 47 FR 17041, Apr. 21, 1982; 47 FR 29210, July 6, 1982; 47 FR 34972, Aug. 12, 1982; 54 FR 52889, Dec. 22, 1989]

§ 500.3 Electric regions—electric region groupings for reliability measurements under the Powerplant and Industrial Fuel Use Act of 1978.

(a) The following is a list of electric regions for use with regard to the Act. The regions are identified by FERC Power Supply Areas (PSA's) as authorized by section 202(a) of the Federal Power Act except where noted. They will be reviewed annually by ERA.

Department of Energy

Pt. 501

Each grouping meets one or more of the following criteria:

- (1) Existing centrally dispatched pools and hourly power brokers;
- (2) Systems with joint planning and construction agreements;
- (3) Systems with coordination agreements in the areas of:
 - (i) Generation reserve and system reliability criteria;
 - (ii) Capacity and energy exchange policies;
 - (iii) Maintenance scheduling; and
 - (iv) Emergency procedures for dealing with capacity or fuel shortages; or
- (4) Systems within the same National Electric Reliability Council (NERC) region with historical coordination policies.

(b) The PSA's referred to in the definition of electric regions in paragraph (a) of this section were first defined by the Federal Power Commission in 1936. The most recent reference to them is given in the *1970 National Power Survey*, Vol. 1, Pg. 1-3-16. In cases where a petitioner finds an ambiguity in a regional assignment, he shall consult with DOE for an official determination.

Electric Region Groupings and FERC PSA's:

1. Allegheny Power System (APS)—7, except Duquesne Light Company.
2. American Electric Power System (AEP)—entire AEP System.
3. New England Planning Pool (NEPOOL)—1, 2.
4. New York Planning Pool (NYPP)—3, 4.
5. Pennsylvania—New Jersey—Maryland interconnection (PJM)—5, 6.
6. Commonwealth Edison Company—14.
7. Florida Coordination Group (FCG)—24.
8. Middle South Utilities—25.
9. Southern Company—22, 23.
10. Gulf States Group—35.
11. Tennessee Valley Authority (TVA)—20.
12. Virginia—Carolina Group (VACAR)—18, 21.
13. Central Area Power Coordination Group (CAPCO)—Cleveland Electric Illuminating Company, Toledo Edison Company, Ohio Edison Company, Duquesne Light Company.
14. Cincinnati, Columbus, Dayton Group (CCD)—Cincinnati Gas and Electric Company, Columbus and Southern Ohio Electric Company, Dayton Power and Light Company.
15. Kentucky Group—19.
16. Indiana Group—Indiana Utilities except AEP.
17. Illinois—Missouri Group (ILLMO)—15, 40.

18. Michigan Electric Coordinated Systems (MECS)—11.

19. Wisconsin—Upper Michigan Group (WUMS)—13.

20. Mid-Continent Area Power Pool (MAAP)—16, 17, 26, 27, 28.

21. Missouri—Kansas Group (MOKAN)—24, 29.

22. Oklahoma Group—33, 36.

23. Texas Interconnected Systems (TIS)—37, 38.

24. Rocky Mountain Power Pool (RMPP)—31, 32.

25. Northwest Power Pool (NWPP)—30, 42, 43, 44, 45.

26. Arizona—New Mexico Group—39, 48 within Arizona. in Nevada and California.

27. Southern California—Nevada—47, 48.

28. Northern California—Nevada—46.

29. Alaska (non-interconnected systems to be considered separately)—49.

30. Idaho—Utah Group—41.

PART 501—ADMINISTRATIVE PROCEDURES AND SANCTIONS

Subpart A—General Provisions

Sec.

- 501.1 Purpose and scope.
- 501.2 Prepetition conference.
- 501.3 Petitions.
- 501.4–501.5 [Reserved]
- 501.6 Service.
- 501.7 General filing requirements.
- 501.8 [Reserved]
- 501.9 Effective date of orders or rules.
- 501.10 Order of precedence.
- 501.11 Address for filing documents.
- 501.12 Public files.
- 501.13 Appeal.
- 501.14 Notice to Environmental Protection Agency.

Subpart B [Reserved]

Subpart C—Written Comments, Public Hearings and Conferences During Administrative Proceedings

- 501.30 Purpose and scope.
- 501.31 Written comments.
- 501.32 Conferences (other than prepetition conferences).
- 501.33 Request for a public hearing.
- 501.34 Public hearing.
- 501.35 Public file.

Subpart D—Subpoenas, Special Report Orders, Oaths and Witnesses

- 501.40 Issuance.

Subpart E—Prohibition Rules and Orders

- 501.50 Policy.